

## PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number  
**10-776,808**

## APPLICATION AS FILED - PART I

(Column 1)

(Column 2)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

| FOR   | NUMBER FILED  | NUMBER EXTRA | RATE (\$) | FEES (\$) | RATE (\$) | FEES (\$) |
|---|---|--------------|-----------|-----------|-----------|-----------|
| BASIC FEE<br>(37 CFR 1.16(a), (b), or (c))        |   |              |           |           |           |           |
| SEARCH FEE<br>(37 CFR 1.16(k), (l), or (m))       |   |              |           |           |           |           |
| EXAMINATION FEE<br>(37 CFR 1.16(o), (p), or (q))  |   |              |           |           |           |           |
| TOTAL CLAIMS<br>(37 CFR 1.16(j))                  | minus 20 =  | *            | X         | =         | X         | =         |
| INDEPENDENT CLAIMS<br>(37 CFR 1.16(h))            | minus 3 =   | *            | X         | =         | X         | =         |
| APPLICATION SIZE<br>FEE<br>(37 CFR 1.16(s))       | If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). |              |           |           |           |           |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j)) |   |              |           |           |           |           |

\* If the difference in column 1 is less than zero, enter "0" in column 2.

TOTAL

TOTAL

## APPLICATION AS AMENDED - PART II

| AMENDMENT A   |                                 | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |       | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA | SMALL ENTITY | OTHER THAN<br>SMALL ENTITY  |           |                             |
|---|---------------------------------|---|-------|---|------------------|--------------|-----------------------------|-----------|-----------------------------|
|   |                                 |   |       |   |                  | RATE (\$)    | ADDI-<br>TIONAL<br>FEE (\$) |           |                             |
|   | Total<br>(37 CFR 1.16(j))       | 78  | Minus | ** 78                                       | = —              | X =          | X =                         |           |                             |
|   | Independent<br>(37 CFR 1.16(h)) | 7   | Minus | *** 7                                       | = —              | X =          | X =                         |           |                             |
| Application Size Fee (37 CFR 1.16(s))                           |                                 |   |       |   |                  |              |                             |           |                             |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) |                                 |   |       |   |                  |              |                             |           |                             |
| AMENDMENT B   |                                 | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |       | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA | RATE (\$)    | ADDI-<br>TIONAL<br>FEE (\$) | RATE (\$) | ADDI-<br>TIONAL<br>FEE (\$) |
|   |                                 |   |       |   |                  |              |                             |           |                             |
|   | Total<br>(37 CFR 1.16(j))       |   | Minus | **  | =                | X =          | X =                         | X =       |                             |
|   | Independent<br>(37 CFR 1.16(h)) |   | Minus | ***   | =                | X =          | X =                         | X =       |                             |
| Application Size Fee (37 CFR 1.16(s))                           |                                 |   |       |   |                  |              |                             |           |                             |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) |                                 |   |       |   |                  |              |                             |           |                             |
| TOTAL ADD'L FEE   |                                 |   |       |   |                  |              |                             |           |                             |

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20"

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3"

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

OCT 05 2005  
U.S. PATENT & TRADEMARK OFFICE

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional)

Optovia

In re Application of: Hamid R. Khazaei, Hongmin Chen, David Kirk Lewis, Hsing Cheng

Application No.: 10/776,808

Filed: February 11, 2004

For: HIGH EFFICIENCY SINGLE AND MULTIPLE WAVELENGTH STABILIZED LASER SYSTEMS

The owner, Optovia Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/776,810, filed on 2/11/04, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

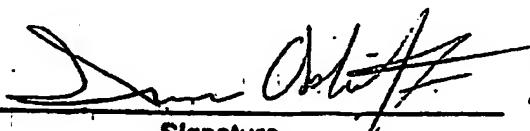
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1.  For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney or agent of record.

  
Signature

10/6/05  
Date

Irwin Ostroff

Typed or printed name

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

16338 96391  
U.S.PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER OF PATENTS  
BOX PATENT APPLICATION  
P.O. BOX 1450  
Alexandra, VA 22313-1450

031356 U.S.PTO  
10/776808  
021104

Sir:

Enclosed herewith for filing is the following utility patent application:

Applicant: Hamid R. Khazaei, Hongmin Chen, David Kirk Lewis,  
and Hsing Cheng

Title of Application: HIGH EFFICIENCY SINGLE AND MULTIPLE  
WAVELENGTH

STABILIZED LASER SYSTEMS

Pages Of Specification: 204 Sheets of Drawing: 32  
Executed on: February 9, 2004 Docket No.: Optovia 6

**PATENT APPLICATION FILING FEE CALCULATION**

|                                | <u>No. Filed</u> | <u>Less</u> | <u>Rate/Claim</u> | <u>Fee</u> |
|--------------------------------|------------------|-------------|-------------------|------------|
| Total Claims                   | 78               | -20         | x \$18.00         | \$1,044.00 |
| Independent Claims             | 7                | -3          | x \$86.00         | \$ 344.00  |
|                                |                  |             |                   | \$1,388.00 |
|                                |                  |             | Basic Filing Fee  | \$ 770.00  |
|                                |                  |             |                   | \$2,158.00 |
| Less One-half for Small Entity |                  |             |                   | \$1,079.00 |
| Total Filing Fee.....          |                  |             |                   | \$1,079.00 |
| Assignment.....                |                  |             |                   | \$ 40.00   |
| Total Amount Enclosed.....     |                  |             |                   | \$1,119.00 |

Our check in the amount of the total filing fee and assignment (\$1,119.00) is enclosed herewith.

The applicant is a small entity.

The Commissioner is hereby authorized to charge any additional fee which may be required in this application, including filing fees, during the entire pendency, or credit overpayment, to Deposit Account No. 15-0701. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 15-0701.

Also enclosed herewith for filing in connection with the enclosed application are:

Declaration and Power of Attorney;  
Information Disclosure Statement;  
Assignment  
PTO Form 1595;  
PTO Form 1449; and  
Postcard

Respectfully submitted,



Irwin Ostroff  
Registration No. 26,013  
Attorney for Applicants

Date: February 11, 2004

Irwin Ostroff, Esq.  
OSTROFF & ASSOCIATES  
3 Lackawanna Boulevard  
Murray Hill, NJ 07974

Tel. No. (908) 464-0248  
Fax. No. (908) 464-3431

**EXPRESS MAIL CERTIFICATION**

"EXPRESS MAIL" MAILING LABEL NUMBER: ER402655126 US  
Date of Deposit: February 11, 2004

I hereby certify that this transmittal letter and all the attached denoted therein are being deposited with the United States postal service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, BOX PATENT APPLICATION, P.O. Box 1450, Alexandra, VA 22313-1450.

  
Signature of Person Mailing Paper or Fee

Irwin Ostroff  
Name of Person Mailing Paper or Fee

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